

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 6, 1958
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Dudley Fowler, Assistant City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. DON BENTON, First Methodist Church, 12th and Lavaca Street.

The Council stood in memory of MR. AUGUST W. OERTLI, SR., who had been with the Fire Department for 37 years, and who was deceased March 4, 1958. The Council ordered a page to be set aside in the Minutes and that regrets be sent to his family.

Councilman White moved that the Minutes of the Meeting of February 27, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MRS. MAGNOLIA GREEN, representing the Travis County Audubon Society, extended an invitation to the Council to attend a Panel Discussion on Insecticides, to be presented Wednesday, March 12, 7:30 P.M., in the Austin National Bank Auditorium.

MR. GEORGE MacGREGOR, Phi Gamma Delta Fraternity, 300 West 27th Street, requested permission for a blockade of the 300 block of West 27th Street, and permission for a non-explosive fire works display. After discussion, Councilman Long moved that the City Manager be instructed to work out the arrangements on this dance in the street, and the fire works with the various Departments, and that the permits be granted provided the Fraternity gets clearance through the University. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council also asked that the necessary firemen be stationed there, and that necessary policemen be assigned to direct the traffic.

No action was taken on the release of public utilities and drainage easements across two tracts of land out of the Frank E. Pease Subdivision, pending further recommendation from the Planning Commission.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING A PORTION OF MARIPOSA DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON A MAP OR PLAT OF SOUTH SIDE ADDITION; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING A PORTION OF MARIPOSA DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON A MAP OR PLAT OF TRAVIS HEIGHTS SUBDIVISION; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 23.08 ACRES OF LAND OUT OF THE THEODORE BISSEL SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"March 4, 1958

"W. T. Williams, Jr.
City Manager
City of Austin, Texas

"Dear Sir:

"Bids were received until 2:00 P.M., March 4, 1958, in Conference Room, 2nd Floor of the Municipal Bldg., and then publicly opened and read for the construction of the Boggy Creek and Govalle Area Sanitary Sewer.

"The following is a tabulation of the bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Co.	\$193,720.45	270
Joe Bland Construction Co.	236,846.00	220
Karl B. Wagner Engineering & Const. Co.	383,872.10	320

"It is recommended that the contract be awarded to the Austin Engineering Co. on their low bid of \$193,720.45 with 270 working days.

"Yours truly,
(Sgd) Albert R. Davis by
S. D. Garza
Albert R. Davis, Director
Water and Sewer Department

"APPROVED BY: W. T. Williams, Jr.
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 4, 1958, for the construction of the Boggy Creek and Govalle Area Sanitary Sewer; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$193,720.45 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Austin Engineering Company in the sum of \$193,720.45 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

No action was taken on the following zoning application, pending from the week before, as MR. JOHNS was to submit plans for the restaurant he proposed; and all the plans have not yet been received:

GEORGE A. JOHNS

1131-47 Kirk Avenue
1124-1126 Airport Blvd.

From "C" Commercial 6th
Height & Area
To "C-1" Commercial 1st
Height & Area
Original request for
"E" Industrial NOT
Recommended by the
Planning Commission

Pursuant to published notice thereof the following zoning applications were publicly heard:

JOSEPHINE VISCARDI

2606-08 Jefferson St.

From "A" Residence
To "BB" Residence
NOT Recommended

Mr. Viscardi appeared in his own behalf. Opposition was expressed by

DR. MARVIN VANCE for First Methodist Church; MR. LONDON BRADFIELD, MRS. HARRY T. DAVIDSON, and others. The Mayor asked those who wished to grant the change to "BB" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: None

Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

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H. G. WEST

2511 South 1st Street

Tract I

From "A" Residence

To "C" Commercial

Tract II

From "GR" General Retail

To "C" Commercial

NOT Recommended by the

Planning Commission

Recommended "GR" General

Retail for both tracts

No opposition appeared. The Council postponed action pending personal inspection of the area.

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OSCAR E. NAUERT

5200-02 Huisache St.

700-02 Zennia Street

From "A" Residence

To "C" Commercial

RECOMMENDED by the

Planning Commission

Mr. J. C. Hinsley, representing F. W. Goodenough, expressed opposition; also Mr. Boyce Campbell. A number present were opposed. The Council postponed action pending personal inspection of the area.

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N. A. GIBLIN, et al

5300 Evans Avenue &

504-06 E.53rd; 5212-14

Evans & 505-07 E.53rd;

5213-15 Evans & 601-03

E.53rd; 5211 Martin Ave.

& 701-03 E.53rd

From "A" Residence

To "LR" Local Retail

NOT Recommended by the

Planning Commission

The Council postponed action pending personal inspection of the area.

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GEORGE S. NALLE

600-20 West 10th St.
601-21 West 11th St.
1001-19 Rio Grande St.
1000-18 Nueces St.From 2nd Height & Area
To 4th Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to 4th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to 4th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

T. H. WILLIAMS, JR.

610-18 Nueces Street
601-09 West 7th StreetFrom "O" Office
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. Williams represented himself; MRS. C. B. STERZING, representing Mrs. Henry Maerki stated objectionable radio interference was present in the block. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

MARGIE S. SILBERSTEIN

3101-07 North Lamar
912-14 West 31st St.
3104-06 Owen AvenueFrom "A" Residence
To "C-1" Commercial
NOT Recommended by the
Planning Commission

Mr. Jerome Sneed represented Miss Silberstein. Opposition was represented by Mr. Leo Hughes. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson
Noes: Councilman White, Mayor Miller

The Mayor announced that the change to "C-1" Commercial had been DENIED.

The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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PERRY L. JONES

2900-02 Rio Grande
700-06 West 29th Street

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Mr. Herman Jones represented Mr. Perry Jones. Mr. John Davis, operator of Romme Inn, appeared in behalf of the application. Several appeared in opposition. Mrs. Meta A. Avera opposed the change due to traffic increase, and asked that the City install a light at 29th and Rio Grande. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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ERNEST DeWITTY

2006 Cedar Street
2513 Weber Avenue

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

Mr. DeWitty appeared in his own behalf. Mr. Dewitty was asked to leave a letter that this location would be used as a beauty parlor only if the change were granted. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOSEPH J. DAYWOOD

6723-25 Burnet Road

From "C-1" Commercial
To "C-2" Commercial
No Recommendation from
Planning Commission

The Mayor asked those who wished to grant the change to "C-2" Commercial

to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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The Mayor brought up the following zoning application deferred from last week:

MRS. ALICE ATKINSON	Area 15 - West Powell Lane (West of west right-of-way line of Interregional Highway)	ORIGINAL ZONING Requested "C-1" Commercial Planning Commission Recommended "A" Residence
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The Mayor asked those who wished to establish the zoning as "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: None
Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the request that the original zoning be established as "C-1" Commercial had been DENIED.

In connection with the T. H. WILLIAMS, JR., zoning application at 610-18 Nueces Street, MRS. C. B. STERZING, representing her mother, MRS. HENRY MAERKI, 605 West 7th Street, complained of some kind of radio interference which had developed when the Insurance Building of Mr. Williams' was constructed at 610 Nueces; and although the City and other electricians had checked the area, the interference is still there. The Council agreed that another check would be made in this area to see if the trouble could be located.

In connection with the zoning application of PERRY JONES, 2900 Rio Grande Street, MRS. META A. AVERA, 2908 Rio Grande, asked that a traffic light at 29th and Rio Grande be installed. The Mayor stated that the City Manager would be requested to have the Traffic Engineer check on this.

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed business.

The following bids for Auditorium Chairs had been received and were under consideration:

<u>Description</u>	<u>Company</u>	<u>No. of Chairs</u>	<u>Unit Price</u>	<u>Total Price</u>
Mohair Foam Rubber w/Trucks w/o Number Plates	Heywood- Wakefield	1544 chairs	\$34.90 (34.30 with metal feet)	\$53,885.60 (plus .25 for number plates)
	Peabody	NO BID		
	American	1648 chairs	\$35.15	\$57,932.12
	International	1560 chairs	\$32.15	\$50,154.00
Mylon Foam Rubber w/trucks w/o number plates	Heywood- Wakefield	1544	\$33.89	\$52,326.16
	Peabody	1400	\$37.94	\$53,128.20
	American	1648	\$34.10	\$56,251.72
	International	1560	\$31.88	\$49,732.80

MR. DON ABLE representing the portable Heywood-Wakefield Chair and Pea-body Chairs submitted data on these two types of chairs, and submitted a report from a survey of Auditorium Managers contacted regarding use of 4 fixed type chairs on metal frames. He asked the Council to give serious consideration to the Heywood-Wakefield Chairs, and submitted a synthetic material to be selected for the upholstering.

Representatives from the American Seating Company discussed their chairs on skids, pointing out the easy cleaning advantages.

MR. BILL HELLUMS, representing International, listed three points to be considered in selecting auditorium chairs - (1) comfort, (2) durability, and (3) low maintenance.

Each representative stated the guarantee made on his particular chair International unconditional for five years; American unconditional guarantee against defective workmanship and material for the life of the chair, minimum life being 20 years; Heywood-Wakefield unconditional guarantee, except damage to upholstering.

MR. WILLIAMSON, American Seating Company, spoke for the chairs as submitted.

MR. WOLF JESSEN listed items of consideration, and gave the recommendation of the Architects; that if the most comfortable and most beautiful chair were desired, the American Chair would be recommended. If it were desired to have the most portability in a chair, the Heywood-Wakefield Chair would be their recommendation.

The Council took no action at this meeting on awarding the Chairs.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and widening of an additional east-west thoroughfare in the City of Austin to provide for the free and safe flow of traffic from east to west in North Austin on and along the street known as West 45th Street; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of all of the hereinafter described tract of land for right of way to permit the construction of a bridge across Shoal Creek where West 45th Street intersects with Shoal Creek, and has further found and determined that in addition to the hereinafter described fee interest in land there will be needed temporary working space easements along each side thereof, such easements to terminate upon the completion of the aforementioned bridge; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value

of such land and working space easements; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City ^Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, together with temporary working space easements 75 feet in width along the North line of the hereinafter described tract and 60 feet in width along the South line of the hereinafter described tract:

0.914 acres of land out of that certain 16.36 acre tract of land out of and a part of the George W. Spear League, Survey No. 7, in the City of Austin, Travis County, Texas, conveyed by a deed dated July 30, 1952, from Jessie R. Murray to Annabel Murray Thomas, Margaret Bailey, Frances Leggett and Robert V. Murray, Jr., recorded in Book 1278, page 519 of the Travis County Deed Records, said 0.914 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument set in the present South line of West 45th Street, and being in the present East line of the remaining portion of the said Annabel Murray Thomas, et al, 16.36 acre tract of land, same being also in the most Westerly South corner of Oak Haven, Section II, in the City of Austin, Travis County, Texas, as shown on a map or plat recorded in Book 7, page 18 of the Travis County Plat Records from which a concrete monument set in the Northwest corner of Lot 28, of the said Oak Haven, Section II, same being in the South line of West 45th Street bears South 64° 40' East 90.66 feet.

THENCE, with the proposed South line of West 45th Street, the following four (4) courses:

1. North 64° 41' West 36.96 feet to an iron stake.
2. South 82° 35' West 83.22 feet to an iron stake.
3. North 64° 41' West 165.87 feet to an iron stake.
4. North 36° 43' West 50.62 feet to a point in the original West line of the said Annabel Murray Thomas, et al, 16.36 acre tract of land.

THENCE, with the West line of the said 16.36 acre tract of land North 1° 02' East 115.78 feet to an iron stake.

THENCE, with the proposed North line of West 45th Street the following four (4) courses:

1. South 80° 31' East 47.23 feet to an iron stake.
2. South 63° 57' East 172.88 feet to an iron stake.
3. South 38° 07' East 78.27 feet to an iron stake.
4. South 64° 41' East 76.96 feet to a concrete monument set in the present North line of West 45th Street.

THENCE, with the present West line of West 45th Street South 25° 19' West 60.00 feet to the place of the BEGINNING.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

IN MEMORIAM

AUGUST W. OERTLI, SR.

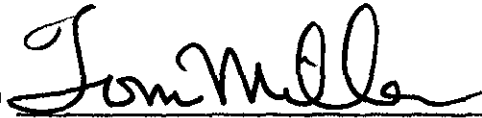
FIRE DEPARTMENT

1920 - 1957

DIED, MARCH 4, 1958

There being no further business, the Council adjourned at 5:00 P.M.,
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:



City Clerk